

### **Remarks**

#### I. Petition for Withdrawal from Issue under 37 CFR 1.313(a)

Regarding the showing of good and sufficient reasons why withdrawal of the application from issue is necessary, applicants note that where a restriction was required between a product and a process of making and/or using the product, and the product was elected and subsequently found allowable, a claim to a nonelected invention may be rejoined under MPEP § 821.04. Applicants seek to rejoin nonelected claims to methods employing the allowed product.

In addition, applicants note that SEQ ID NO:2 is contained within SEQ ID NO:4. In searching SEQ ID NO:4, the Examiner would have also searched SEQ ID NO:2. Applicants seek to reopen prosecution in order to clarify the scope of the subject matter searched, and the breadth of the allowed composition claim.

Applicants note that unless applicant receives a written communication from the Office that the application has been withdrawn from issue, the issue fee must be timely submitted to avoid abandonment. MPEP § 1308(I)(A).

- Fee (37 CFR § 1.17(h))     Small Entity:                \$130.00
- Please charge any underpayment for timely consideration of this paper to Deposit Account No. 50-2207.

Respectfully submitted,

Date: June 5, 2006

/Gina C. Freschi/

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